

## **REMARKS**

This responds to the Office Action mailed on October 8, 2008.

Claims 1, 10, 14, 16, 17, 22, 24 and 26 are amended, no claims are canceled or added; as a result, claims 1 – 26 remain pending in this application.

### **Drawing Objections**

The drawings were objected to. In figure 1 and figure 2 “releted” is misspelled. In figure 4 “eradable” and “other” is misspelled. In figure 6 “erminal” in step ST65 is misspelled.

Replacement drawings are submitted herewith in which the typographical errors have been corrected. Accordingly, it is submitted that this objection has been overcome.

### **Specification Objections**

The specification was objected to as item number 332 is shown in figure 3 but no corresponding description of what the number points to can be found in the specification.

The paragraph starting on page 7, line 27 and ending on page 8, line 3 has been amended to include the reference 332 and it is submitted that this objection has also been overcome.

### **Claim Objections**

Claims 1, 5, 14, and 16-17 were objected to. The typographical errors in the claims have been corrected and it is submitted that this objection has been overcome.

### **§102 Rejection of the Claims**

Claims 1-15, and 19-20 were rejected under 35 U.S.C. § 102(b) for anticipation by Coutts (U.S. 6,311,165).

To anticipate a claim, the reference must teach every element of the claim. “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or

inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). It is not enough, however, that the prior art reference discloses all the claimed elements in isolation. Rather, “[a]nticipation requires the presence in a single prior reference disclosure of each and every element of the claimed invention, *arranged as in the claim.*” *Lindemann Maschinenfabrik GmbH v. American Hoise & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984) (citing *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983)) (emphasis added).

Example embodiments of the present application allow a very thin client to display execution results on a monitor connected to the thin client. Unlike prior art system where processing power is required on the thin client to process and generate a display screen, example embodiments of the present application receive a bitmap from a host computer that includes execution results. Thus, the display screen including the execution results is generated at the host computer and all that may be required at the thin client is to display the bitmap. Claim 1 has been amended to clarify that the execution results are included in the bitmap received from the host computer for display on the network terminal.

Claim 1, as amended, includes the limitations of:

a communication part to communicate with the host computer, wherein the terminal OS is configured to

transmit user inputs at the network terminal to the host computer for execution by an application program on the host computer to provide execution results; and

receive a bitmap image from the host computer for display, wherein the execution results are converted into the bitmap image at the host computer.

It is submitted that the above limitations are neither described nor suggested in Coutts, Vasilik, Suman, and/or Buswell.

Independent claim 10 includes the limitation of “receiving a bitmap image from the host computer for display, wherein the execution results are converted into the bitmap image at the host computer.” In view of the remarks above it is submitted that claim 10 is also allowable.

Independent claim 22 includes the limitation to “receive bitmap images from the host computer for display, wherein the execution results are converted into the bitmap image at the host computer.” In view of the remarks above it is submitted that claim 22 is also allowable.

Independent claim 24 includes the limitation of “receiving bitmap images including execution results from the host computer.” In view of the remarks above it is submitted that claim 24 is also allowable.

#### *§103 Rejection of the Claims*

Claims 16-17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Coutts as applied to claim 10 above and further in view of Vasilik (U.S. 5,515,081).

As discussed in *KSR International Co. v. Teleflex Inc. et al.* (U.S. 2007), the determination of obviousness under 35 U.S.C. § 103 is a legal conclusion based on factual evidence. *See Princeton Biochemicals, Inc. v. Beckman Coulter, Inc.*, 7, 1336-37 (Fed. Cir. 2005). The legal conclusion, that a claim is obvious within § 103(a), depends on at least four underlying factual issues set forth in *Graham v. John Deere Co. of Kansas City*, 383 U.S. 1, 17 (1966): (1) the scope and content of the prior art; (2) differences between the prior art and the claims at issue; (3) the level of ordinary skill in the pertinent art; and (4) evaluation of any relevant secondary considerations.

Therefore, the test for obviousness under §103 must take into consideration the invention as a whole; that is, one must consider the particular problem solved by the combination of elements that define the invention. *See Interconnect Planning Corp. v. Feil*, 774 F.2d 1132, 1143, 227 USPQ 543, 551 (Fed. Cir. 1985). The Examiner must, as one of the inquiries pertinent to any obviousness inquiry under 35 U.S.C. §103, recognize and consider not only the similarities but also the *critical differences* between the claimed invention and the prior art. *See*

In re Bond, 910 F.2d 831, 834, 15 USPQ2d 1566, 1568 (Fed. Cir. 1990), reh'g denied, 1990 U.S. App. LEXIS 19971 (Fed. Cir. 1990). The fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. In re Mills, 16 USPQ2d 1430 (Fed. Cir. 1990); M.P.E.P. § 2143.01.

Applicants submit that claims 16 and 17 are not obvious in view of Vasilik. The Office Action concedes that Coutts does not teach the use of a bitmap image and relies on Vasilik to teach this aspect.

Vasilik teaches "storing and processing multiple bitmap images, such as those commonly employed in graphical user interfaces (GUIs), within a single "master" bitmap" (Abstract). The processing is done on a local computer and requires substantial computing power. For example, "[i]n a preferred embodiment, the system 200 includes an IBM-compatible personal computer, available from a variety of vendors (including IBM of Armonk, N.Y.). Operating system 221 is MS-DOS and shell 223 is Microsoft™ Windows, both of which are available from Microsoft Corporation of Redmond, Wash. Alternatively, the system 200 may be implemented in other platforms, including Macintosh, UNIX, and the like. Development system 250 includes Borland.RTM. C++& Application Frameworks™, available from Borland International of Scotts Valley, Calif. Application software 225, 227, on the other hand, can be any one of a variety of application software, including word processing, database, spreadsheet, text editors, and the like."

Vasilik does not teach a network terminal that sends user inputs to a host computer where the execution results are converted into the bitmap image at the host computer.

Claim 18 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Coutts and Vasilik as applied to claims 10 and 16 above, and further in view of Suman et al. (U.S. 5,717,387; hereinafter "Suman").

Claim 18 is dependent upon claim 10 and at least for this reason is also allowable.

Claims 21-24, and 26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Coutts as applied to claim 1 above, and further in view of Buswell et al. (U.S. 5,918,039; hereinafter “Buswell”).

Claim 21 is dependent upon claim 1 and at least for this reason is also allowable.

Claim 22 includes the limitation of “wherein the execution results are converted into the bitmap image at the host computer.” For at least the reasons set out above with respect to claim 1, it is also submitted that claim 22 is allowable. Claim 23 is dependent upon claim 22 and, accordingly, is also allowable.

Claim 24 includes the limitation of “receiving bitmap images including execution results from the host computer.” For at least the reasons set out above with respect to claim 1, it is also submitted that claim 24 is allowable.

Claim 25 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Coutts and Buswell as applied to claim 24 above, and further in view of Vasilik. Claim 25 is dependent upon claim 24 and, as claim 24 is allowable, it is submitted that claim 25 is also allowable.

Claim 26 is dependent upon claim 24 and, as claim 24 is allowable, it is submitted that claim 26 is also allowable.

### **CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's representative at (408) 278-4058 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 5, 2009.

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